

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

PEDRO SILVA CHIPREZ and  
SAMUEL SILVA-CHIPREZ,

Defendants.

NOS. CR-06-2121-RHW-1  
CR-06-2121-RHW-4**ORDER GRANTING  
DEFENDANTS' MOTIONS TO  
SUBSTITUTE COUNSEL**

Before the Court is Defendant Pedro Silva Chiprez's Motion to Withdraw Plea of Guilty and Appoint Counsel (Ct. Rec. 936) and Defendant Samuel Silva Chiprez's Motion to Withdraw Plea of Guilty (Ct. Rec. 964). The Court held a hearing on these motions on November 22, 2010. Defendants were present with counsel; the Government was represented by Assistant United States Attorney Shawn Anderson. At the hearing, Defendant Samuel Silva Chiprez also orally moved for a substitution of counsel. The Court granted both motions to substitute counsel, finding that "the conflict between the defendant[s] and [their] attorney[s] was so great that it prevented an adequate defense." *United States v. Rivera-Corona*, 618 F.3d 976, 978 (9th Cir. 2010). The Court also found Defendant Pedro Silva Chiprez financially eligible for appointed counsel. The Court reserved ruling on Defendants' motions to withdraw their pleas. This order memorializes the Court's oral rulings.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant Pedro Silva Chiprez's Motion to Withdraw Plea of Guilty and

**ORDER GRANTING DEFENDANTS' MOTIONS TO SUBSTITUTE  
COUNSEL \* 1**

1 Appoint Counsel (Ct. Rec. 936) is **GRANTED in part**. Defendant Samuel Silva  
2 Chiprez's oral motion to appoint counsel is **GRANTED**.

3 2. Attorneys George Trejo and Ricardo Hernandez may withdraw from their  
4 representation of Defendants. They are directed to turn over the case files in their  
5 entirety to newly appointed counsel as soon as possible.

6 3. This matter is **referred** to Magistrate Judge Hutton for the appointment  
7 of substitute counsel.

8 4. The Court **reserves ruling** on Defendants' Motions to Withdraw Pleas of  
9 Guilty (Ct. Recs. 936 and 964).

10 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
11 Order and to provide copies to counsel.

12 **DATED** this 22<sup>nd</sup> day of November, 2010.

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15 *s/Robert H. Whaley*  
16 ROBERT H. WHALEY  
United States District Judge

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